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USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 2/28/2020

February 27, 2020

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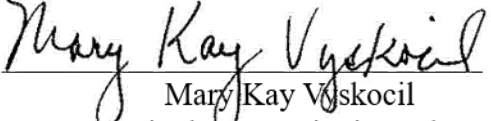
EMANUEL GOLDBERG (1904-1988)  
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Via ECF filing and e-mail  
Hon. Mary Kay Vyskocil  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

The parties request for an extension of the fact discovery deadline to April 15, 2020 is GRANTED. The status conference scheduled for March 26, 2020 is adjourned *sine die*. The parties are instructed to file a joint status letter with the Court no later than April 2, 2020 reporting on the status of mediation efforts, discovery, and consolidation. The status letter should be no longer than 3 pages and filed via ECF. SO ORDERED.

Date: 2/28/2020  
New York, New York

  
Mary Kay Vyskocil  
United States District Judge

Re: Rockeith Martin v. NYC Crane Hoist & Rigging, LLC  
Civil Action No. 1:19-cv-03789-AT

Dear Judge Vyskocil:

My firm represents defendant, NYC Crane Hoist & Rigging, LLC, in the above referenced FLSA action. I write with the consent of Abdul K. Hassan, Esq., counsel for the plaintiff, Rockeith Martin, to request a second extension of the deadline to conduct fact discovery, which otherwise expires tomorrow, February 28, 2020, as well as an adjournment of the status conference currently scheduled for March 26, 2020.

Since the case was commenced, Mr. Hassan filed two new actions on behalf of a total of four other former drivers for the Defendant, including 19-CV-10043-VSB and 19-CV-11948-PGG.

The issues concern claims of truck drivers for salary and overtime while they were waiting for trucks to be loaded and unloaded. The parties have exchanged over a thousand pages of documents and have made substantial progress on discovery.

My client maintained a limited GPS system for tax purposes, and we are attempting to cull through the printouts to see if information concerning the drivers can be extrapolated from the data. This is proving to be a substantial undertaking, and we are not yet finished. However, both counsel believe the information may be extremely useful in resolving the disputes between the parties. Accordingly, we are requesting an extension of discovery while this process continues.

In the meantime, the parties are also working cooperatively to try to resolve all five claims through mediation.

There was a previous mediation in this case, which was not successful. However, a new mediator was appointed in 19-CV-10043-VSB, and a mediation session has been scheduled for March 26, 2020. We intend to ask the Court in the third action (19-CV-11948-PGG) to appoint the same mediator so we can fold those defendants into the mediation. Although we have not sought a formal appointment of the mediator in this case, we fully intend to include this case in any settlement which is reached at the mediation.


Mr. Hassan and I have also been discussing whether the three actions should be consolidated, and if mediation fails, we will likely file a motion for consolidation.

In light of our ongoing efforts to work together to resolve this litigation, with due recognition of the additional actions, we respectfully request that the discovery deadline be extended to April 15, 2020 approximately two weeks following the mediation.

We also request that the status conference currently scheduled before Your Honor on March 26 be adjourned to a date convenient to the Court after April 15, 2020, so that the mediation and discovery can be completed.

Should the Court require additional information concerning the status, counsel will be happy to provide it through a conference, either in person or by telephone.

Respectfully yours,

A handwritten signature in black ink, appearing to read "J. Ted Donovan", with a long horizontal flourish extending to the right.

J. Ted Donovan

cc: Abdul K. Hassan, Esq. (via email)